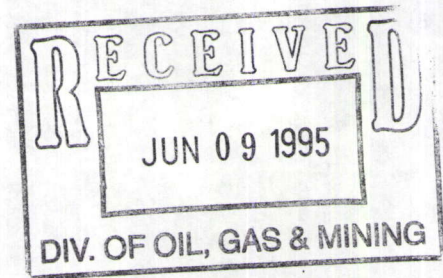


3809
UTU-73979

Staff Report

Author: Phil Allard
Subject: Meeting with Mike McPhilomy
Date: May 30, 1995



On May 23, 1995, I met with Mike McPhilomy in the field. Pony Express archeologist Mel Brewster was also present. This meeting had been requested by Mr. McPhilomy the previous day in the office of Maggie Wyatt, Pony Express Area Manager. Mr. McPhilomy had submitted a Notice on Thursday May 18, 1995 involving mining claims UMC 357077 and UMC 357078. This activity was to take place at Red Mountain near Gold Hill, Tooele County, Utah. The area is in T. 6 S., R. 18 W., sections 29, and 30.

Mr. McPhilomy was present on at the location. He had a 5th wheel trailer (about 30 feet long), a Ford 350 diesel crew cab pick-up truck, a 480K Case skip loader with drag, and a 45 foot long flat bed trailer pulled by a Kenworth tractor. He also had pallets, carpet scraps, and chicken wire. Mr. McPhilomy described his operation as taking what he asserts to be "uncommon variety" boulders, and selling them to various retail stone dealers. He said that he also uses them to build water features for private homes and businesses in the Las Vegas and Los Angeles areas. He said that the boulders he selects are uncommon variety because they have voids and bowls that add to their visual interest. He said that he also has lower cost because all he has to do is place a strap around the boulder and lift them with the loader. No road construction or site preparation is needed and only very little reclamation is needed. He also said that he is able to sell the boulders at a premium or a price of between \$300 and \$450 per ton. He therefore asserts that these rocks have uncommon voids, he sells them for money because of their voids, and he has lower mining costs because he is able to mine the rocks with no site preparation.

He identified two locations where these boulders are found. They are shown on the attached map. A total of about 4 acres of land have these boulders exposed. Not all boulders in the area are suitable. If there are no bowls or voids they are unsuitable. If a large portion of a boulder is buried, it is unsuitable.

Mel Brewster told me that he had not located any archeological materials during his walk over the land. I told Mr. McPhilomy that my initial impression about the material he wished to remove was that it is common variety stone and would therefore be subject to disposal through sale. I also told him that our recent appraisal of similar material was that it would sell for \$7.50 per ton in

place. I told him of the process that we used for pursuing a common variety/uncommon variety case. I told him also that the area was a community pit and that he should not be surprised if he encountered other operators in the area.

I told him that there was generally a 14 day camping limit on the public land, but if approved in a Plan of Operations or discussed in an accepted Notice that limit could be exceeded. Mr. McPhilomy said that he wanted to collect about 35 boulders for a weight of about 20 tons. This would be a test market sample and conformed with our discussions the previous day with Maggie Wyatt. He said that if the test was successful he could see taking an additional 20 loads from the area. This would be a total of about 400 tons of material. Mr. McPhilomy verbally amended his Notice to be for this additional volume. I explained the five acre rule and how that required that any disturbance in excess of five acres have an approved plan. He said that he understood. He said that there were two spots where he would have to smooth out the road. these are shown on the attached map. Mr. McPhilomy said that no other improvements to access would be needed.

There are no wilderness study areas or designated wildernesses in the vicinity. The area is open to ORV use.

UTI 73970 5/30/95
 Phil Allard copy of
 Elephant Knoll 7.5' Quad
 x - location of trailer
 O - locations where
 boulders are to be
 collected

1:24,000
 ⬆ N
 ⊗ Area to improve access.

